

The Honorable Ricardo S. Martinez

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

THOMAS DOROBIALA,

Plaintiff,

v.

AMAZON.COM, INC., a Delaware corporation,

Defendant.

Case No. 2:22-cv-01600-RSM

**NOTICE OF RELATED CASE**

1 Pursuant to LCR 3(g)(1), Plaintiff Thomas Dorobiala hereby submits this notice of a  
2 pending, related case in in the Western District of Washington. The related case is *Federal Trade*  
3 *Commission v. Amazon.com, Inc.*, No. 2:23-cv-0932, (“*FTC Action*”). The District has not yet  
4 assigned a judge to the *FTC Action*.

5 The *FTC Action* is a civil enforcement against Amazon for violations of the Federal Trade  
6 Commission Act, 15 U.S.C. §§ 45(m)(1)(A), 53(b), 57b, and the Restore Online Shoppers’  
7 Confidence Act, 15 U.S.C. § 8404, whereas in the current action, Plaintiff seeks to represent a  
8 proposed class action for violations of the Washington Consumer Protection Act, Wash. Rev.  
9 Code §§ 19.86.010, *et seq.* Nonetheless, the later filed *FTC Action* presents overlapping factual  
10 allegations and similar legal theories concerning substantially the same transactions alleged by  
11 Plaintiff against the same defendant (Amazon), in an action that is likewise brought for the  
12 benefit of consumers. Both actions’ legal claims require them to prove that Amazon acted  
13 deceptively in the design and implementation of the Prime cancellation policy (“Project Iliad”)  
14 and that the actions were likely to cause consumer injury that the consumers could not  
15 reasonably avoid. The factual allegations of the *FTC Action* regarding Project Iliad are virtually  
16 identical to those in this action (with additional references to supporting witness statements and  
17 Amazon’s own internal documents uncovered as part of the FTC’s pre-filing investigation). Like  
18 Plaintiff, the FTC alleges that through Project Iliad, Amazon has intentionally implemented dark  
19 patterns to impede Prime members’ efforts to cancel their membership. Like Plaintiff, the FTC  
20 alleges that Amazon has employed dark patterns in the wording, graphic design, and  
21 redundancies to make its online cancellation process for Prime subscriptions needlessly difficult,  
22 time-consuming, and frustrating to users. There will therefore be both “an unduly burdensome  
23 duplication of labor and expense” and the potential for “conflicting results if the cases are  
24 conducted before different judges.” LCR 3(g)(4).

DATED: June 21, 2023

Respectfully submitted,

HAGENS BERMAN SOBOL SHAPIRO LLP

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**CERTIFICATE OF SERVICE**

I hereby certify that on June 21, 2023, a true and correct copy of the foregoing was filed electronically by CM/ECF, which caused notice to be sent to all counsel of record.

/s/ Steve W. Berman  
Steve W. Berman